

UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
FILED
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2006 MAR 29 P 3:36

Albert William Bleau Jr.

Plaintiff

U.S. DISTRICT COURT
DISTRICT OF MASS.

Vs.

Civil Action
No. 04 – 10469REK

Greater Lynn Mental Health
& Retardation Association, et al,

Defendants

Plaintiff's Motion For Extension Of Time To File An Appeal Of The February 8, 2006 Order of the Court Pursuant To Federal Rule 4 (5) (A)(i) (ii) and Federal Rule 4 (5) (C)

Albert W. Bleau Jr., the plaintiff, respectfully requests an extension of time to file an appeal to the United States Court of Appeals for the First Circuit from an order of the US Federal District Court for the District of Massachusetts entered in the case on February 8, 2006.

Federal Rules Of Civil Procedure 4 (5) (A) states that the court may extend the time to file notice of appeal if the party "shows excusable neglect or good cause".

Justification For Motion For Extension

1. Plaintiff is a pro se litigant and plaintiff has never filed an appeal in federal court and is completely unaware of the procedures. Despite many hours of on line research, he still is having difficulty understanding the process and the format for the appeal. He is also unclear whether the motion for appeal needed to wait until after the court ruled on his prior motion of February 7, 2006 and his recent motion for reconsideration filed on February 22, 2006.

2. Discovery is an additional complex process new to the plaintiff. The

plaintiff has spent hundreds of hours of research on the rules and case law and still only has a novice understanding of the process. The plaintiff is attempting to meet what has turned out to be an unreasonable time line. In addition, defendants MacKleish, Sherman and Griffin have refused voluntary service for the production of documents and there is opposition to the plaintiff's requests. A recent correspondence from attorneys for James Mecone and John Sanella is an indication of what can be expected from the defendants as well as other requests by the plaintiff. This has and will continue to result in many additional hours of work for the plaintiff as well as additional motions to the court. See attached correspondence, Attachment I.

3. Defendant, Bridgewell (GLMHRA) has refused to give plaintiff former Executive Director, Paul Cote's address and phone number as well as the addresses and telephone numbers of past and current board members hampering plaintiff's attempts at discovery.

4. The appeal is complex and requires additional research.

5. The plaintiff works over sixty hours each week and is only able to work on the appeal and discovery early mornings before work and evenings and weekends and only when he is also not required to produce various reports and grants and proposals for his employers most of which are also done on weekends, early mornings and evenings. The plaintiff has had to set aside Mondays and Fridays in March and April to read and reproduce documents requested during discovery further reducing the time available for his work and for the appeal.

6. In the midst of this additional discovery load, the plaintiff's hard drive in his lap top that is used as his only computer crashed four times during the time period from the last week in February to Saturday March 25, 2006. The operating system had to be reinstalled three times, and new memory chips had to be

installed. Software was lost and had to be reinstalled. The plaintiff has still not been able to reinstall the printer software since the disk is missing. The continuing crashing of the computer impeded the plaintiff's ability to fax, to research, to access the Internet, to work on the appeal and discovery and to fulfill his work requirements.

For the aforementioned reasons the plaintiff requests that his motion for an extension of time to file an appeal of the February 8, 2006 order of the court is granted.

Respectfully submitted,



Albert W. Bleau Jr.
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Dated: March 29, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon all counsel of record by First Class Mail on March 29, 2006.



Albert W. Bleau Jr.